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BEYER WEAVER LLP			EXAMINER	
P.O. BOX 70250			NGUYEN, DAT	
OAKLAND, CA 94612-0250				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/964,962

Applicant(s)

PAULSEN ET AL.

Examiner

Dat T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-86 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-86 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The finality of the previous office action dated 12/07/2006 is withdrawn. This office action is responsive to the amendments filed 07/14/2006. Claims 27-86 are pending.

Claim Rejections - 35 USC § 112

Claim 27-86 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims recite a plurality of addressable pixels. However, there is no support within in the instant specification or the original claims and therefore this is new matter.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 27, 28, 33, 34, 38, 41-43, 47, 48, 53, 57-60, 63, 64, 66, 67, 69, 70, 72, 73, 76, 79-84 and 86 are rejected under 35 U.S.C. 102(b) as being anticipated by Griswold et al. (US 6,027,115).

Regarding claims 27, 33, 37, 72 and 73, Griswold discloses a gaming apparatus comprising:

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A housing (12); a value input device (24) for receiving a medium of value; an input device for receiving a wager (4:29-52); a reel rotatable about an axis (fig. 3a), said reel comprising:

A motor capable of rotating said reel (6:15-16) operatively coupled to a controller; a support mechanism having an outer circumference region (feature 333); a flexible display mounted on said outer circumference (figures 2a-d and 4a) region of said support mechanism and comprising a plurality of addressable pixels (figures 2a-d and 4a, the leaves depicted in figures 2a-d are considered addressable pixels. A pixel as defined by one of ordinary skill in the art as the smallest element that can be individually processed in a video display system. The leaves are the smallest elements which are processed and displayed, therefore the constitute a pixel), said flexible display having a flexibility that allows said flexible display to be elastically bent from a substantially straight configuration to a curved configuration (figure 4a depicts the straight configuration while figures 2a-d depict the bent configuration of the flexible display), wherein said configuration is capable of contacting said outer circumferential region of said support mechanism at two points that define end points of an arc of said circumferential region having a central angle of about ninety degrees (the display of Griswold is capable of being wrapped around the entirety of the barrel which is three hundred and sixty degrees and therefore it would be inherently capable of wrapping around the barrel of only ninety degrees), and wherein said flexible display is operable to display an indicium comprising a pattern of the plurality of addressable pixels (figures 2a-d) and wherein said flexible display is operable to rotate about an axis (feature 315);

A display driver (6:6-12, Griswold discloses circuitry necessary for controlling the light elements and therefore this inherently includes a display driver since all display electronics require some sort of driver to function) for controlling the plurality of addressable pixels of said flexible display coupled to the support mechanism and operatively coupled to the controller wherein the display driver receives instructions from the controller related to displaying the indicium; and

The controller operatively coupled to said value-input device, said input device, said motor, and said display driver, said controller comprising a processor and a memory operatively coupled to said processor (6:6-31);

Said controller operable to: detect a deposit of medium of value, detect a wager, cause said indicium to be displayed on said flexible display, cause said motor to spin said reel, cause said motor to stop said reel, determine a value associated with an outcome of a wager based game played on the gaming apparatus, select from a plurality of game play indicia the indicium to display on the flexible display wherein combinations of the selected set of game play indicia including the indicium are used to display outcomes for a slot game played on the game machine using the reel and flexible display (3:1-63), and dynamically change the indicium displayed on the flexible display on the flexible display during the operation of the game apparatus such that a first indicium displayed at a first time on the flexible display is removed from the flexible display at a later time (3:26-31); and

The memory adapted for storing programming instructions or information for generating game play indicia including the indicium (6:6-31, inherently all processors and circuitry have memory used to store programming instructions).

Regarding claim 28, the game of Griswold displays the blinking and flashing of lights to indicate the progression of the game, this therefore constitutes a gaming instruction on the display (9:38-42).

Regarding claims 34, 38, 69 and 70, wherein the controller is further programmed to dynamically change said indicium displayed on said flexible display (9:38-42).

Regarding claims 41-43, 57-60, 76, 83 and 84, wherein a portion of the game play indicia are themed (The game of Griswold is themed as a conventional slot machine with is known to comprise, bells, fruits, bars, and 7's as depicted in figures 2a-d). The indicia of Griswold is that of a conventional casino theme.

Regarding claims 47, 48, 79 and 80, further comprising a motor for rotating the reel wherein the controller is programmed to control a spin of the reel (feature 317, figure 3b and the detailed description thereof).

Regarding claims 53 and 82, wherein the display driver is mounted on the reel such that it rotates when the reel rotates (7:38-46 and figures 3a-b).

Regarding claims 63, 64 and 86, further comprising one or more additional reels (figure 1).

Regarding claims 66, 67 and 81, the gaming apparatus also includes a slip ring drum rotatable about the axis of the reel where the slip ring includes a plurality of electrical conductors including electrically conductive brushes (6:13-23)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 30, 32, 37, 44-46, 49-52, 54-56, 61, 62, 65, 68, 71, 77, 78 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griswold et al. (US 6,027,115).

Regarding claims 30, 45, 46 and 78, Griswold meets the claimed limitations as discussed above in claim 27. However Griswold fails to explicitly disclose displaying simulated game play. However it is notoriously well known in the art that gaming machines when not being played could simulate game play in order to attract players. Therefore it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include a simulation feature in the game of Griswold to attract players to play at the gaming machine.

Regarding claims 32, 37, 44 and 77 Griswold meets the claimed limitations as discussed in claim 27, however Griswold fails to explicitly disclose the use of a remote server to control the play of the game. The use of central servers to control slot machines to enable player tracking and monitor for cheating is notoriously well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the

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time of applicant's invention to utilize a remote server to manage and control the play of the gaming machine in order to track player playing habits and monitor for cheating.

Regarding claims 49 and 50, please see the rejection of claims 47 and 48 respectively.

Regarding claims 51 and 52, further comprising a display driver adapted for displaying the indicium on the flexible operatively coupled to the controller wherein the display driver is mounted to the reel such that it rotates when the reel rotates (figure 5a-b and the detailed description thereof, 7:38-8:57).

Regarding claims 54-56, 61 and 85, wherein the indicium is selected based upon an amount of value received at the gaming apparatus is common and well known to one skilled in the art. The game program is designed to keep the players that are spending more money at the machine whether in overall time or in each single wager (wagering high). If a player wagers high and tends to notice a winning slot occurring, the would be more inclined to stay, hence the incentive for tailoring the program is to generate more business for the machine.

Regarding claim 62, please see rejection of claim 60.

Regarding claim 65, please see rejection of claim 63.

Regarding claim 68, please see rejection of claim 66.

Regarding claim 71, please see rejection of claim 70.

Claims 31, 36, 40 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griswold et al. (US 6,027,115) in view of Universal Display Corporation: FOLED Technology.

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Regarding claims 31, 36, 40 and 75, Griswold teaches the use of LEDs as the display, however Griswold fails to explicitly recite wherein the flexible display comprises a flexible LED display. Universal Display Corporation: FOLED Technology teaches the use of flexible LED displays as a substitute for the use of conventional LED displays since the flexible LEDs are ultra-lightweight, thin-form as well as the cost-effective processing (page 1). Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the FOLED technology in place of the LEDs taught by Griswold in order to achieve the benefits discussed above.

Claims 29, 35, 39 and 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griswold et al. (US 6,027,115) in view of Business Week 2000: The Tube.

Griswold teaches the use of a flexible display, however Griswold does not explicitly recite the use of a flexible LCD display. However in a related article drawn towards flexible displays, Business Week 2000: The Tube teaches that one can use flexible LCD display for a computer. Therefore it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to utilize the flexible LCD display of Business Week 2000: The Tube in place of the flexible display of Griswold in order to achieve more dynamic displays that can be changed due to programming as oppose to the displays of Griswold which would have to be replaced if the casinos wish to change the indicia themed on them. Such a modification would allow for casinos to change the theme of the games with relative ease and keep pace with the changing demands of the customers.

Response to Arguments

Applicant's arguments filed 06/06/2007 have been fully considered but they are not persuasive.

The arguments have been addressed in the above office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dat T. Nguyen whose telephone number is (571) 272-2178. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571)272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dat Nguyen


JOHN M. HOTALING, II
PRIMARY EXAMINER